

(2) THE COMMISSION SHALL ORDER A GAS COMPANY OR ELECTRIC COMPANY TO REPLACE A METER AT THE COMPANY'S EXPENSE IF THE METER IS INCORRECT TO THE PREJUDICE OF THE CONSUMER BY MORE THAN THE PERCENTAGE TOLERANCE LIMIT SET BY THE COMMISSION.

(C) FEES.

(1) THE COMMISSION SHALL SET A UNIFORM REASONABLE FEE FOR METER TEST SERVICES UNDER THIS SECTION.

(2) (I) IF THE TEST INDICATES THAT THE METER IS WITHIN THE PERCENTAGE TOLERANCE LIMIT SET BY THE COMMISSION UNDER SUBSECTION (B)(1) OF THIS SECTION, THE CONSUMER SHALL PAY THE TEST FEE.

(II) IF THE TEST INDICATES THAT THE METER IS NOT WITHIN THE PERCENTAGE TOLERANCE LIMIT SET BY THE COMMISSION, THE COMMISSION SHALL REFUND THE FEE.

REVISOR'S NOTE: Subsections (a), (b)(2), and (c) of this section are new language derived without substantive change from former Art. 78, § 52, and the last sentence of § 51(a).

Subsection (b)(1) of this section is new language added for clarity.

Subsection (c)(2)(ii) of this section is new language added as an implicit corollary of subsection (c)(2)(i) of this section.

In subsection (b)(2) of this section, the defined terms "gas company" and "electric company" are substituted for the former reference to "the company" for clarity.

In subsection (c)(2)(i) of this section, the clause "[i]f the test indicates that the meter is within the percentage tolerance limit set by the Commission under subsection (b)(1) of this section," is added for clarity.

Defined terms: "Commission" § 1-101

"Electric company" § 1-101

"Gas company" § 1-101

7-303. SUBMETERING — APARTMENT HOUSE AND COMMERCIAL BUILDING.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "APARTMENT HOUSE" MEANS ONE OR MORE BUILDINGS THAT EACH CONTAIN MORE THAN TWO DWELLING UNITS AND IN WHICH ALL THE DWELLING UNITS ARE OCCUPIED PRIMARILY FOR NONTRANSIENT USE WITH RENT PAID AT INTERVALS OF 1 WEEK OR LONGER.